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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/066,629	02/06/2002	Jack Peng	3179/15	4433

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EXAMINER

TRAN, QUOC DUC

ART UNIT

PAPER NUMBER

2643

DATE MAILED: 05/12/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/066,629

Applicant(s)

PENG, JACK

Examiner

Quoc D Tran

Art Unit

2643

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 06 February 2002.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-3 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 06 February 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Claim Objections*

1. Claims 1-3 are objected to because of the following informalities: claims contain multiple sentences that are not compliance to common patent's claims. Appropriate correction is required.
2. Claims 1-3 are objected to because of the following informalities: claims contain language that could be modifies to improve the claim language. For example: the phase "thus", "such as" and "can be" are not positive limitation. Appropriate correction is required.

### *Claim Rejections - 35 USC § 103*

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kitamura (5,987,106) in view of Lagoni et al (6,141,058).

Consider claim 1, Kitamura teaches a picture/sound output equipment with caller identification and volume adjustment functions (abstract; col. 3 lines 14-20; col. 8 lines 44-51), comprising: a main unit provided with buttons and picture/sound output hole for connection to the screen (col. 2 lines 36-54; col. 4 line 61 – col. 5 line 5); and an incoming-call detection circuit connecting to telephone line on one end and connecting to the main unit on the other end (col. 2 lines 58-65; col. 4 lines 5-11). *Thus*, when the picture/sound output equipment is in use

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and the phone rings, the signals of incoming calls will be located, thereby helps users not to miss phone calls as they watch films (col. 3 lines 44-63).

Kitamura failed to further suggest wherein a main unit provided with buttons and picture/sound output hole for connection to an *amplifier* and wherein said incoming-call detection circuit transforms the messages of incoming call into visual signals and outputs said visual signals and displayed on the screen when an incoming call is detected. However, Lagoni et al teach a television receiver includes an amplifier and detector unit and a telephone network interface circuitry that allows the receiver to receive and process the Caller ID signal for display on the television screen or monitor when a incoming call is detected (col. 1 lines 16-30; col. 1 line 66 – col. 2 line 16; col. 2 lines 34-54; col. 4 lines 4-17, lines 44-54).

Therefore, it would have been obvious to one of the ordinary skill in the art at the time the invention was made to utilize the teaching of Lagoni et al into view of Kitamura in order to assist user in receiving telephone calls while operating his or her entertainment system at excessive level.

Consider claim 2, Kitamura teaches a picture/sound output equipment with caller identification and volume adjustment functions (abstract; col. 3 lines 14-20; col. 8 lines 44-51) wherein the incoming-call detection circuit comprises an alarm circuit for detecting the ringing of incoming calls (col. 4 lines 5-11; col. 5 lines 50-67) and a control circuit connecting to the volume adjustment of main unit (col. 3 line 64 – col. 4 line 4). *Said* control circuit decreases the volume when the phone rings (col. 3 lines 50-63); and adjust the volume back to previous level after users hang up the phone (col. 7 lines 13-17, lines 31-38).

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Kitamura teaches the call detection mechanism (i.e., modem/telecommunication controller 46) for detecting and control incoming call (col. 4 lines 5-13; col. 5 lines 50-67). Kitamura did not clearly suggest where the modem/telecommunication controller 46 includes a caller identification circuit for identifying caller's messages such as phone number or brief message and a transformation circuit for transforming messages into visual messages. However, Lagoni et al teach a television receiver includes detector unit and a telephone network interface circuitry that allows the receiver to receive and process the Caller ID signal for display on the television screen or monitor when a incoming call is detected (col. 1 lines 16-30; col. 1 line 66 – col. 2 line 16; col. 2 lines 34-54; col. 4 lines 4-17, lines 44-54).

Therefore, it would have been obvious to one of the ordinary skill in the art at the time the invention was made to utilize the teaching of Lagoni et al into view of Kitamura in order to assist user in receiving telephone calls while operating his or her entertainment system at excessive level.

Consider claim 3, Kitamura teaches the system wherein the incoming-call detection circuit is provided inside the main unit (col. 2 lines 58-65); and the main unit is provided with phone jack (col. 2 lines 41-45, lines 48-54). It should be noted that telephone devices are notoriously well known to use the standard modular telephone jack for connection. Therefore, one skilled in the art would recognize such arrangements are used for connecting the telephones to the USB controller. Kitamura further suggested wherein the main unit can be VCRs, DVD players, or VCD players (col. 2 lines 63-65).

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*Conclusion*

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

6. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

Facsimile responses should be faxed to:

**(703) 872-9314**

Hand-delivered responses should be brought to:

Crystal Park II, 2121 Crystal Drive

Arlington, VA., Sixth Floor (Receptionist)

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Quoc Tran** whose telephone number is **(703) 306-5643**. The examiner can normally be reached on Monday-Thursday from 8:00 to 6:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Curtis Kuntz**, can be reached on **(703) 305-4708**.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the **Technology Center 2600** whose telephone number is **(703) 306-0377**.



Quoc D. Tran

Patent Examiner AU 2643

May 8, 2003